

**REGULAR MEETING**  
**March 9, 1998**

The Regular Meeting of the Annapolis City Council was held on March 9, 1998 in the Council Chamber. Marian Hopkins rang the bell to denote the 7:30 p.m. start time for the meeting. Mayor Johnson called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer

Staff Present: City Administrator Chitwood, City Attorney Goetzke, Personnel Director Davis, Finance Director Sulick, Central Services Officer Harrison, Planning and Zoning Director Arason, Public Works Director Patmore

Alderman McMillan moved to approve the Minutes of February 9, 1998 and February 23, 1998. Seconded. CARRIED on voice vote.

Mayor Johnson and Personnel Director Davis presented “Years of Service Awards” to the following City employees:

Sergeant Phillip Turner	25 years of service	Police Department
Sergeant John H. Groh	25 years of service	Police Department
Sergeant Edgar A. Bowen, Jr.	25 years of service	Police Department
Captain Barbara J. Hopkins	25 years of service	Police Department

Mayor Johnson and Personnel Director Davis presented a “Thirty Year Retirement Award” to Martini M. Bean, Department of Parking and Transportation.

Mayor Johnson introduced the members of the Fire Safety Commission.

Mayor Johnson presented a proclamation to William J. Toomey proclaiming March 17, 1998 as “William J. Toomey Appreciation Day”.

David Minges, Executive Director, Chesapeake Bay Trust, presented a check in the amount of \$14,806.00 to the Annapolis Environmental Commission as a grant for materials for an oyster restoration project.

**PETITIONS, REPORTS AND COMMUNICATIONS**

1. Bertina Nick, President, Clay Street Revitalization Committee, Kirby McKinney, Vice President, Clay Street Improvement Association and Vincent O. Leggett, Project Director, The Leggett Group, gave a status report on the implementation strategy for the Clay Street Revitalization Plan.
2. Louise Beauregard  
2 Maryland Avenue  
Annapolis, MD 21401  
  
Spoke regarding transportation grants.
3. Karen Salem  
818 Cedar Park Road  
Annapolis, MD 21401  
  
Spoke regarding the Gateway Project.
4. David Stahl  
100 Severn Avenue  
Annapolis, MD 21403  
  
Spoke in support of the Whitbread festivities.

5. Tony Evans  
3 Constitution Square  
Annapolis, MD 21401

Spoke regarding the Whitbread festivities.

## LEGISLATIVE ACTION

### ORDINANCES

- O-53-97 For the purpose of allowing bed and breakfast as a permitted use subject to standards in the residential conservation overlay district; amending the definition of a bed and breakfast home; and all matters relating to said bed and breakfast uses.**

Alderman Fox moved to withdraw O-53-97. Seconded. CARRIED on voice vote.

- O-2-98 For the purpose of making a technical correction to the City Code so as to provide that before finally placing the name of a candidate on the ballot at the succeeding primary election, the board shall determine that the candidate meets the registration and affiliation requirements of this code, the Charter and Maryland law; and all matters relating to said technical correction.**

Alderman Sachs moved to adopt O-2-98 on second reading. Seconded.

The Rules and City Government Committee reported favorably with amendments on O-2-98.

Alderman Hammond moved to amend O-2-98 as follows:

#### **Amendment No. 1:**

On Page 1, line 16, strike “making a technical correction to” and substitute “amending”; and on Page 1, line 20, strike “technical correction” and substitute “change”.

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Sachs moved to adopt O-2-98 as amended on third reading. Seconded. CARRIED on voice vote.

- O-7-98 For the purpose of amending the configuration of the Annapolis harbor line outboard of 519 Chester Avenue on Back Creek; and all matters relating to said harbor line.**

Alderman Moyer moved to adopt O-7-98 on second reading. Seconded.

The Environmental Matters Committee and Board of Port Wardens reported favorably on O-7-98.

The main motion CARRIED on voice vote.

Alderman Moyer moved to adopt O-7-98 on third reading. Seconded. CARRIED on voice vote.

**O-10-98 For the purpose of correcting references to section numbers related to parking and loading requirements; and all matters relating to said corrections.**

Alderman Hammond moved to adopt O-10-98 on second reading. Seconded.

The Environmental Matters Committee reported favorably on O-10-98.

The main motion CARRIED on voice vote.

Alderman Sachs moved to adopt O-10-98 on third reading. Seconded. CARRIED on voice vote.

**O-14-98 For the purpose of authorizing the 1998 Spring Boat Show and Waterfront Festival Agreement which Agreement includes provisions to lease to International Boat Shows, Inc., body corporate, certain municipal parking areas on Compromise Street between the Fleet Reserve Club and Fawcetts Boat Supply and the Donnor lot and Susan Campbell Park on the City Dock, for a certain period of time, subject to certain terms, provisions, and conditions, for the purpose of conducting said Spring Boat Show and Waterfront Festival; and all matters relating to said lease.**

Alderman Hammond moved to adopt O-14-98 on second reading. Seconded.

Alderman Moyer moved to substitute Page 1 of the Agreement and Exhibits A and B as set forth in a Memorandum to the Aldermen from Paul Garvey Goetzke, City Attorney, dated March 4, 1998. Seconded. CARRIED on voice vote.

The main motion including the substitutions CARRIED on voice vote.

Alderman Sachs moved to adopt O-14-98. Seconded. CARRIED on voice vote.

**O-9-98 For the purpose of clarifying that the prohibition on parking certain trailers in a certain area pertains to trailers whether or not they are attached to a motor vehicle; removing the prohibition on parking trailers bearing a boat trailer permit within 100 yards of a city boat launching facility; changing the language "primary motive power vehicle which normally propels the trailer" to "motor vehicle"; reducing the annual permit fee; and all matters relating to said clarifications.**

Alderman Tolliver moved to adopt O-9-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

**O-15-98 For the purpose of simplifying the voter identification process and enhancing the integrity of our elections; and all matters relating to said voter identification process.**

Alderman McMillan moved to adopt O-15-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee and the Board of Supervisors of Election.

**O-16-98 For the purpose of increasing the membership of the Maritime Advisory Board from nine to eleven members; and all matters relating to said Board.**

Alderman Tolliver moved to adopt O-16-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

**O-17-98 For the purpose of establishing that special exception authorizations may be extended by the Board of Appeals for up to two successive extensions for periods of not longer than six months each; and all matters relating to said special exception extensions.**

Alderman Hammond moved to adopt O-17-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee and the Planning Commission.

**O-18-98 For the purpose of authorizing a lease of certain municipal property located in the general harbor and Dock Street area to Whitbread Chesapeake, Inc., body corporate, for a certain period of time, subject to certain terms, provisions, and conditions, for the purpose of conducting sailboat race festivities; and all matters relating to said lease.**

Alderman Sachs moved to adopt O-18-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

## **RESOLUTIONS**

**R-7-98 For the purpose of amending the Capital Improvement Program by increasing the funding for the Gateway Circle, Project 445; and all matters relating to said Project.**

Alderman Hammond moved to adopt R-7-98. Seconded.

The Finance Committee reported favorably with amendments on R-7-98.

Alderman Sachs moved to amend R-7-98 as follows:

### **Amendment No. 1**

On Page 1, line 29, strike "\$5,561,540" and substitute "\$5,210,000".

### **Amendment No. 2:**

On Page 1, line 33, strike "\$5,561,540" and substitute "\$5,210,000".

Seconded. CARRIED on voice vote.

Following discussion, City Administrator Chitwood, Central Services Officer Harrison, Public Works Bureau Chief Baker and Finance Director Sulick answered questions addressed by the Aldermen.

Alderman Tolliver moved to amend R-7-98 as follows:

**Amendment No. 3:**

On Page 1, lines 33 and 37, delete "\$7,914,000" and substitute "\$7,664,000"; and in the attachments to R-7-98 reduce the land acquisition (Tireman Project) by \$250,000 and reduce the total estimated project cost to \$7,664,000. Seconded.

A ROLL CALL vote was taken:

YEAS: Aldermen Tolliver, McMillan  
NAYS: Mayor Johnson, Aldermen Hammond, Gilmer, Sachs, Carter, Fox, Moyer  
DEFEATED: 7-2

A ROLL CALL vote was taken on the main motion as amended:

YEAS: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, Carter, Fox, Moyer  
NAYS: Alderman McMillan  
CARRIED: 8-1

**R-8-98 For the purpose of adopting a new comprehensive plan for the city; and all matters relating to said plan.**

Alderman Hammond moved to adopt R-8-98. Seconded.

Alderman Tolliver moved to amend R-8-98 as follows:

**Amendment No. 1:**

On Page 1, line 6, immediately after "development" add the following:

"The adoption of the Plan shall not be construed as approval of individual projects which may be recommended therein.";

And on Page 2, line 12, immediately following "adopted" add the following:

"And this Resolution shall be made a part of that report and printed within that report.".

Seconded. CARRIED on voice vote.

A ROLL CALL vote was taken on the main motion as amended:

YEAS: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer  
CARRIED: 9 - 0

**R-9-98 For the purpose of acknowledging the effort of all voters in the 1997 General Election, including those voters whose votes were disqualified; and all matters relating to said voter recognition.**

There being no voiced objection, R-9-98 was postponed to the April 13, 1998 meeting.

**R-10-98      For the purpose of designating the Taylor/West Gateway Circle as  
“Unity Circle”, and all matters relating to said designation.**

There being no voiced objection, R-10-98 was referred to the Taylor/West Gateway Circle and Street Design Advisory Committee.

## **BUSINESS AND MISCELLANEOUS**

1. Finance Committee Recommendations for Action dated March 2, 1998

Alderman Sachs moved to approve the Finance Committee Recommendations for Action dated March 2, 1998. Seconded. CARRIED on voice vote.

2. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

3. Appointments

Alderman Gilmer moved to approve the Mayor's appointments of the following individuals as set forth in Memoranda dated March 4, 1998:

<b>Board of Appeals:</b>	Katherine M. Grier
<b>Ethics Commission:</b>	Frederick M. Paone

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:20 p.m.

**Patricia L. Bembe, CMC/AAE  
City Clerk**